

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANGELA M. STUART,

Plaintiff,

vs.

SAINT-GOBAIN CONTAINERS, INC.,

Defendant.

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Case No. 4:11CV1605 JAR

MEMORANDUM AND ORDER

This matter is before the Court upon its review of the record. On December 16, 2012, the Court granted Defendant's Motion to Dismiss, in part, and ordered Plaintiff to provide this Court with her basis, if any, for asserting that this Court has jurisdiction over her remaining common law claims for "whistleblowing" or "harassment." (ECF No. 28).

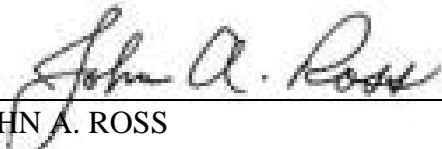
On December 29, 2011, Plaintiff filed her response to this Court's Order. (ECF No. 29). Plaintiff, however, did not address whether this Court has subject matter jurisdiction over Plaintiff's claim, but instead "address[ed] the important points of her wrongful termination." While these points relate to the substance of her claims, they do not show that this Court has subject matter jurisdiction over her remaining claims for "whistleblowing" and "harassment."

The Court, therefore, finds that Plaintiff has not established that this Court has subject matter jurisdiction over her common law claims for "whistleblowing and harassment." United States v. Afremov, 611 F.3d 970, 975 (8th Cir. 2010). The Court dismisses Plaintiff's Complaint for lack of subject matter jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED**.

Dated this 3rd day of January, 2012.

A handwritten signature in cursive script, reading "John A. Ross", is positioned above a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE